

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DEIRDRE L. BOSTICK,

Plaintiff,

v.

CABARRUS COUNTY DEPT. OF
HEALTH AND HUMAN SERVICES,

Defendant.

DEFENDANT’S MOTION FOR
SUMMARY JUDGMENT

Case No. 1:18CV1042

Pursuant to Rule 56(b) of the Federal Rules of Civil Procedure, Defendant, by counsel, moves for summary judgment. As more particularly described in Defendant’s Memorandum in Support of Its Motion for Summary Judgment, and the supporting documentation attached thereto, Plaintiff cannot state a claim of discrimination under the Americans with Disabilities Act, 42 U.S.C.S. § 12101 et seq. (“ADA”).

In short, Defendant Cabarrus County believes that summary judgment is appropriate in this matter because (1) the Plaintiff filed her complaint late; (2) a reasonable jury could not find that Cabarrus County terminated her or took other adverse employment action because of a disability; and (3) Cabarrus County did not fail to offer Plaintiff a reasonable accommodation. No genuine issues of material fact exist as to Plaintiff’s claims and Defendant is entitled to judgment as a matter of law.

Based on the foregoing, Defendant, by counsel, requests the Court to enter an Order granting its Motion for Summary Judgment; dismissing Plaintiff’s Complaint, with

prejudice; awarding it the costs and attorneys' fees expended herein; and granting such other relief as the Court deems just and proper.

Respectfully submitted, this the 15th day of December, 2021.

/s/ David B. Goldberg

David B. Goldberg, NC Bar No. 49229
Deputy Cabarrus County Attorney
PO Box 707
Concord, North Carolina 28026
Telephone: (704) 920-2408
Email: dbgoldberg@cabarruscounty.us

Richard M. Koch, N.C. Bar No. 8360
Cabarrus County Attorney
3320-201 Prosperity Church Road
Charlotte, North Carolina 28269
Telephone: (704) 503-5700
lawoffice@RichardKochLaw.com

ATTORNEYS FOR THE DEFENDANT

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CERTIFICATE OF SERVICE

Case No. 1:18CV1042

I hereby certify that on December 15, 2021, I electronically filed the forgoing
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT with the Clerk of Court using
the CM/ECF system, which will send electronic notification of such filing to all
registered users. I also certify that a paper copy has been mailed to the plaintiff on this
date at the following addresses:

Deirdre L. Bostick
5867 Hampton Hills Blvd
Tamarac, FL 33321-4181

This the 15th day of December, 2021.

/s/ David B. Goldberg
David B. Goldberg, NC Bar No. 49229
Deputy Cabarrus County Attorney
PO Box 707
Concord NC 28026
Telephone: (704) 920-2408
Email: dbgoldberg@cabarruscounty.us